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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,083	03/30/2004	Richard Parsons	071469-0306000 (PC0228A)	3006
7590	11/28/2007		EXAMINER KIM, AHSHIK	
Scott Lane Suite 10 4350 W. Chandler Blvd. Chandler, AZ 85226			ART UNIT	PAPER NUMBER
			2876	
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			11/28/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary**Application No.**

10/812,083

Applicant(s)

PARSONS, RICHARD

Examiner

Ahshik Kim

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 9/10/07 (Amendment).
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-12 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Amendment

1. Receipt is acknowledged of the response filed on September 10, 2007. Currently, claims
5 1-12 remain in the examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

10 (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
such that the subject matter as a whole would have been obvious at the time the invention was made to a person
having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the
manner in which the invention was made.

- 15 3. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamashita et
al. (US 5,389,769, previously cited, hereinafter "Yamashita") in view of Johnson (US 7,038,470,
hereinafter "Johnson"),

Re claims 1 and 5-12, Yamashita discloses a method of attaching an identification tag
20 30A and 30B to the part 10 of a semiconductor processing tool 1 (see figures 1A and 9; also see
abstract). As shown in figure 1A, identification tag 30A is placed in a shallow cup/indent
receiving the tag (col. 3, lines 65+). Each identification tag, having different identification
number responds to different frequency.

Yamashita fails to specifically teach or fairly suggest that the identification tag creates a
25 measurable decrease in field strength as recited amended claims 1 and 5-10.

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Johnson teaches a sensor and a monitoring system comprising RFID tag and the reader (see figure 2; col. 12, lines 31-67; col. 22, lines 39-49; col. 23, lines 38-55). Johnson shows the decrease in the tag coil – voltage drop – which is observed by the reader. In case there is no decrease, it would not be registered by the reader.

5 Examiner's is aware that the embodiment in Johnson is different than the subject matter disclosed in the instant application. Nevertheless, it is and RFID system comprising the reader and RFID tag. Measuring a voltage drop (or decrease in field strength) in an antenna coil of the RFID tag is one of the ways how the reader and the tag interfaces. Also see US 2007/0109389 to Slatter (paragraph 0037) and US 2007/0057797 to Waldner et al. (paragraph 0036).

10 Accordingly, it is the Examiner's position that the subject matter recited in amended claims is not particular to the instant application. Rather, the amended subject matter (measuring decrease in field strength in RFID tag) is closer to an engineering principle of how RFID tag and reader interfaces, which is shown in many prior arts. Although Yamashita does not explicitly state RFID tag, Yamashita discloses an ID tag which communicates with the reader in radio wave.

15 Re claims 2 and 4, the tag is integrated to the cup with resin (col. 3, lines 65+).

Re claim 3, in another embodiment, the ID can be embodied with a barcode or other label type which can be attached and detached (col. 2, lines 13+).

Re claim 5, the ID chip communicates with a fixed station utilizing a radio frequency (col. 2, lines 47+; col. 3, lines 22-32; col. 4, lines 7+)

20 Re claim 10, the space created by container 10 is a processing chamber (col. 4, lines 1+).

Re claims 6-8, Yamashita does not use the term "coil", however, as illustrated in figure 2, the ID tag 30A communicates with a fixed station 20. The fixed station is comprised of a

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modulating circuit 25, demodulating circuit 22 and signal transmitting and receiving antenna 21.

The ID tag 30A is comprised of the antenna receiving from and transmitting to the fixed station.

The antenna may be a loop antenna (col. 4, lines 10). The loop antenna can certainly be

considered a coil to one ordinary skill in the art. As further shown in figure 8, the semiconductor

processing facility has more than one processing device since they are identifiable (otherwise,

there's no need to identify) (col. 2, lines 31-46; col. 4, lines 25+)

Response to Arguments

4. The Applicant's response filed on September 10, 2007 is carefully reviewed and considered.

First, measuring in decrease in field strength (voltage drop as disclosed in Johnson) is a

well known method of detecting a response from tag, particularly in passive RFID tag

embodiment. It is also noted that both Yamashita and Johnson are passive RFID tag (See

Yamashita, col. 2, lines 56-60; See Johnson, col. 9, lines 9+). Accordingly, one ordinary skill in the art can certainly contemplate adopting such a well-known and readily available technique.

Secondly, Yamashita patent does not explicitly spell out "decreased field strength" or

"voltage drop" as recited in Johnson although Yamashita may use the same technique. Citing of

Johnson is to cure the apparent deficiency of Yamashita.

Applicant's remarks describing these elements have been fully considered, but they are

not persuasive, and therefore, the Examiner has made this Office Action final.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE
5 MONTHS from the mailing date of this action. In the event a first reply is filed within TWO
MONTHS of the mailing date of this final action and the advisory action is not mailed until after
the end of the THREE-MONTH shortened statutory period, then the shortened statutory period
will expire on the date the advisory action is mailed, and any extension fee pursuant to 37
CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,
10 however, will the statutory period for reply expire later than SIX MONTHS from the mailing
date of this final action.

Any inquiry concerning this communication or earlier communications from the
examiner should be directed to *Ahshik Kim* whose telephone number is (571)272-2393. The
examiner can normally be reached between the hours of 8:00 AM to 5:00 PM Monday thru
15 Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor, Michael G. Lee, can be reached on (571)272-2398. The fax phone number for this
Group is (571)273-8300.
20

Communications via Internet e-mail regarding this application, other than those under 35
U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be
addressed to [ahshik.kim@uspto.gov].

25 *All Internet e-mail communications will be made of record in the application file. PTO
employees do not engage in Internet communications where there exists a possibility that
sensitive information could be identified or exchanged unless the record includes a properly
signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly
set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and
30 Trademark on February 25, 1997 at 1195 OG 89.*

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished application is available for Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions or access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Ahshik Kim
Primary Examiner
Art Unit 2876
November 19, 2007